

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 25 and 59 are currently being amended.

After amending the claims as set forth above, claims 1, 25 and 52-59 are now pending in this application.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1, 25, 53, and 55-59 under 35 U.S.C. § 103 (a) as being unpatentable over PCT Publication WO 00/67514 to Honakala *et al.* (hereinafter “Honkala”) in view of U.S. Patent No. 7,039,027 to Bridgelall (hereinafter “Bridgelall”). The Examiner rejected claim 54 as being unpatentable over Honkala in view of Bridgelall and further in view of U.S. Patent No. 7,039,409 to Lobinger *et al.* (hereinafter “Lobinger”).

Furthermore, in the Response to Arguments section, the Examiner provides that the newly added limitation in claims 1, 56 and 59 of the mobile node scanning and detecting the beacons signals for signal strength assessment and initiating the handover when necessary can be found in referenced portions of Bridgelall.

Applicant respectfully disagrees and traverses these rejections for the following reasons.

The present application provides a system in which two technology networks can be operated by different operators, and the operators do not have to have any knowledge of the topology of the other network. (*See*, e.g. claim 25). The claims of the subject application make it clear that the responsibility to decide on and control the handover between a first technology network and a second technology network is handled by the mobile node, and information for deciding on the handover is detected by the mobile node. Thus, the mobile node itself decides to initiate a handover procedure between technology networks, which requires that the decision to initiate the procedure constitute an automatic process. Claims 1, 25 and 59 have amended to further clarify this limitation and recite that the decision on the

handover is completely on the mobile node side which detects movement based on border information indicated in beacons of access nodes to which the mobile node is/was connected. Support for these amendments may be found within the disclosure of the present invention at page 10, lines 4-16 and in section 3, entitled “Applying precise movement detection in handoff decisions” on page 17.

The Examiner rejected claims 1, 25 and 59 citing that Honkala discloses every claimed element except the information being in beacons from an access point. However, Applicant provides that Honkala fails to provide that the mobile information for deciding on the handover is detected by the mobile node. Nothing in Honkala discloses or suggests a system in which the mobile node which detects information used for deciding on the handover and is responsible for deciding on and controlling handover between to different technology networks. Rather, Honkala provides that the network detects movement of a mobile node into a border cell and decides on a handover. (See, e.g. Page 17, lines 19-27). Thus, Honkala fails to provide this disclosed limitation of the present invention.

Bridgelall fails to cure these deficiencies. Instead, Bridgelall describes a mobile station (MS) which is able to vertically roam in either direction between two different networks, such as WWAN and WLAN. Bridgelall describes a process for connecting the mobile station to an access point wherein the access point sends out beacons announcing identify and location information that the mobile station needs to locate a network. After detecting the beacon the mobile station may begin negotiating a connection. (Bridgelall, Col. 8, line 57 – Col. 9, line 23). Thus, Bridgelall is concerned with automatic and seamless vertical roaming between a WLAN and a WWAN by detecting second network availability for switching over while maintaining an active voice or data connection on the first network in order for the existing connection to be maintained and the transition to be continuous. However, Bridgelall does not disclose or suggest a decision on a mobile node side handover nor a decision on a mobile node side handover based on beacons or border information in beacons of access nodes to which the mobile node is/was connected.

As such, neither Bridgelall nor Honkala, either alone or in combination, disclose or suggest a handover decision performed by a mobile station based on border information in

beacons of access nodes detected by the mobile station. As previously mentioned, independent claims 1, 25 and 59 have been further amended to clarify this feature of the present application. Accordingly, these claims are patentable.

Claims 53 and 55-58 depend either directly or indirectly on independent claim 1 and 25 and, are therefore patentable for at least that reason as well as other patentable features recited within those claims.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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